

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

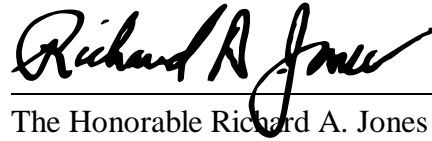
NATHAN LORING,)	Case No. C05-1599-RAJ
)	
Petitioner,)	
)	
v.)	
)	ORDER OF DISMISSAL
ALICE PAYNE,)	
)	
Respondent.)	
_____)	

The Court, after careful consideration of petitioner's § 2254 petition for writ of habeas corpus, the answer of the respondent, all supplemental materials filed, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, the governing authorities, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation, except that it modifies the fourth sentence of the first paragraph on page 6 of the Report and Recommendation to read as follows: "Because petitioner did not file his PRP raising his first and fourth claims within one year of this date, such claims are procedurally barred in this federal habeas action." This modification does not change the substance of the Report and Recommendation.
- (2) Petitioner's federal habeas petition (Dkt. No. 4) is DENIED and the above-captioned case is DISMISSED with prejudice.

(3) The Clerk is directed to send copies of this Order to all counsel of record and to Judge Donohue.

DATED this 23rd day of April, 2008.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones
United States District Judge